

PCT
3671
HII

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

ATTORNEYS AT LAW

1100 NEW YORK AVENUE, N.W. • WASHINGTON, D.C. 20005-3934

PHONE: (202) 371-2600 • FACSIMILE: (202) 371-2540 • www.skgf.com



ROBERT GREENE STERNE
 EDWARD J. KESSLER
 JORGE A. GOLDSTEIN
 SAMUEL L. FOX***
 DAVID K.S. CORNWELL
 ROBERT W. EDMOND
 TRACY-GENE G. DURKIN
 MICHELE A. Cimbala
 MICHAEL B. RAY
 ROBERT E. SOKOHL
 ERIC K. STEFFE
 MICHAEL Q. LEE
 STEVEN R. LUDWIG

JOHN M. COVERT
 LINDA E. ALCORN
 ROBERT C. MILLONIG
 MICHAEL V. MESSINGER
 JUDITH U. KIM
 TIMOTHY J. SHEA, JR.
 PATRICK E. GARRETT
 JEFFREY T. HELVEY*
 HEIDI L. KRAUS
 JEFFREY R. KURIN
 PATRICK D. O'BRIEN
 LAWRENCE B. BUGAISKY
 CRYSTAL D. SAYLES

EDWARD W. YEE
 ALBERT L. FERRO*
 DONALD R. BANOWIT
 PETER A. JACKMAN
 MOLLY A. McCALL
 TERESA U. MEDLER
 JEFFREY S. WEAVER
 KENDRICK P. PATTERSON
 DONALD J. FEATHERSTONE
 VINCENT L. CAPUANO
 JOHN A. HARROUN*
 ALBERT J. FASULO II*
 ELDORA ELLISON FLOYD*

W. RUSSELL SWINDELL
 THOMAS C. FIALA
 BRIAN J. DEL BUONO*
 VIRGIL L. BEASTON*
 RYAN J. STAMPER*
 REGINALD D. LUCAS*
 THEODORE A. WOOD
 KAREN R. MARKOWICZ**
 SUZANNE E. ZISKA**
 ANDREA J. KAMAGE**
 NANCY J. LEITH**
 ELIZABETH J. HAANES**
 MARK P. TERRY**

JOSEPH M. CONRAD, III**
 DOUGLAS M. WILSON**
 ANN E. SUMMERFIELD**
 CYNTHIA M. BOUCHEZ**
 HELENE C. CARLSON**
 BRUCE E. CHALKER**
 GABY L. LONGSWORTH**
 DUSTIN T. JOHNSON**
 MATTHEW J. DOWD**
 TIMOTHY M. SPEER**
 AARON L. SCHWATZ**

*LIMITED TO MATTERS
 AND PROCEEDINGS BEFORE
 FEDERAL COURTS & AGENCIES
 **REGISTERED PATENT AGENT
 ***SENIOR COUNSEL

September 27, 2001

WRITER'S DIRECT NUMBER:

(202) 371-2660

INTERNET ADDRESS:

TDURKIN@SKGF.COM

Commissioner for Patents
 Washington, D.C. 20231

Box: PCT
Group Art Unit: 3671

Re: U.S. Utility Patent Application
 Appl. No. 09/719,772; §371 Date: April 26, 2001
 (U.S. Nat'l Phase of PCT/JP00/00664; Int'l Filing Date: February 7, 2000)
 For: **Hydraulically Driven Working Machine**
 Inventor: Masami MIYANISHI
 Our Ref: 0666.1650000/TGD/TUM

Sir:

Transmitted herewith for appropriate action are the following documents:

1. A copy of the Response to Request Corrected Filing Receipt dated September 18, 2001;
2. Request for Corrected Official Filing Receipt (*in duplicate*);
3. Copy of Official Filing Receipt marked in red to show correction; and
4. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are

Commissioner for Patents
September 27, 2001
Page 2

necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Tracy-Gene G. Durkin
Attorney for Applicants
Registration No. 32,831

TGD/TUM:hmb
Enclosures

P:\USERS\HBEALE\TUM\0666\1650000\skgfcltr re cofr
SKGF Rev. 4/27/00 mac



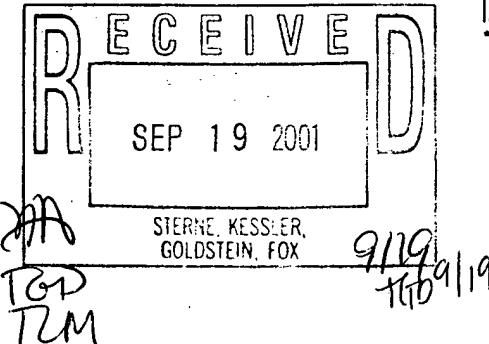
UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/719,772	04/26/2001	Masami Miyanishi	0666.1650000

CONFIRMATION NO. 5026

Tracy Gene G Durkin
Sterne Kessler Goldstein & Fox
Suite 600
1100 New York Avenue NW
Washington, DC 20005-3934



Date Mailed: 09/18/2001

RESPONSE TO REQUEST CORRECTED FILING RECEIPT

Application Filing Date

In response to your request for a corrected Filing Receipt, the Office is unable to comply with your request because:

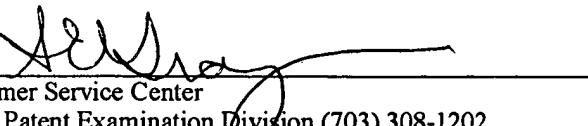
- The correct application number appears on the Filing Receipt. Your postcard included an incorrect application number. Please update your records to reflect the application number on the enclosed Filing Receipt. See MPEP 503.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, a request for a corrected Filing Receipt should be submitted along with a copy of the Express Mail label showing the "date in."
- A copy of the Express Mail label was not enclosed with your request. Please resubmit.
- The date on the Express Mail label is the date given on the Filing Receipt.
- The filing date accorded to the application is the date the application met the filing date requirement of 37 CFR 1.53(b) or (c).
- Filing date of a parent application cannot be changed by this request. A request for corrected Filing Receipt must be directed to such parent application. *PCT/SP2000664*
- Applications submitted under 37 CFR 1.8 are accorded a filing date as of the date the application is received in the Patent and Trademark Office.
- The filing date on your return postcard is the same as the date on your Filing Receipt.

- A petition under 37 CFR 1.10 or 1.53 is needed to correct the filing date. The petition should be directed to the attention of the Office of Petitions

Any corrections that may need to be done to your Filing Receipt should be directed to:

Assistant Commissioner for Patents
Office of Initial Patent Examination
Customer Service Center
Washington, DC 20231

A copy of this notice MUST be returned with the reply.


Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Masami MIYANISHI

Appl. No. 09/719,772
(U.S. Nat'l Phase of PCT/JP00/00664)

International Filing Date: February 7, 2000
§371 Date: April 26, 2001

For: **Hydraulically Driven Working
Machine**

Confirmation No. 5026

Art Unit: 3671

Examiner: *To be Assigned*

Atty. Docket: 0666.1650000/TGD/TUM

Request for Corrected Official Filing Receipt

Commissioner for Patents
Washington, D.C. 20231

Box: PCT

Sir:

Applicant hereby requests that a corrected Official Filing Receipt be issued and sent to the undersigned representative. Specifically, the following correction to the Official Filing Receipt is requested:

Under "Domestic Priority data as claimed by applicant," delete
"07/02/2000", and insert --02/07/2000-- therefor.

In support of the above request, a photocopy of the Official Filing Receipt is enclosed with the correction noted in red. It is requested that a corrected Official Filing Receipt be issued, and sent to the undersigned at the earliest possible time.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this pleading is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Tracy-Gene G. Durkin
Attorney for Applicants
Registration No. 32,831

Date: Sept 27, 2001

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600



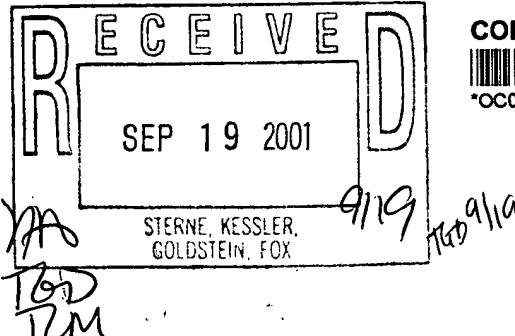
UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/719,772	04/26/2001	3671	1600	0666.1650000	9	14	9

CONFIRMATION NO. 5026

Tracy Gene G Durkin
 Sterne Kessler Goldstein & Fox
 Suite 600
 1100 New York Avenue NW
 Washington, DC 20005-3934



Date Mailed: 09/18/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Masami Miyanishi, Osaka, JAPAN;

Domestic Priority data as claimed by applicantTHIS APPLICATION IS A 371 OF PCT/JP00/00664 ~~07/02/2000~~ 02/07/2000**Foreign Applications**

JAPAN 11-31666 02/09/1999
 JAPAN 11-31657 02/09/1999
 JAPAN 11-32709 02/10/1999

If Required, Foreign Filing License Granted 09/18/2001**Projected Publication Date:** N/A**Non-Publication Request:** No**Early Publication Request:** No**Title**

Hydraulically driven working machine

Preliminary Class

037

Data entry by : GRAY, ANN

Team : 3600

Date: 09/18/2001



**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related application(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

PLEASE NOTE the following information about the Filing Receipt:

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 500 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."
- The title is recorded in sentence case.

Any corrections that may need to be done to your Filing Receipt should be directed to:

Assistant Commissioner for Patents
Office of Initial Patent Examination
Customer Service Center
Washington, DC 20231